

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **JOSE MIGUEL CARDONA ALONZO**
SSN xxx-xx-3786

CASE NO: **18-06028-MCF**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **10/16/2018**

First Meeting Date: **11/28/2018 at 8:00AM**

Days From Petition Date: **43**

341 Meeting Date: **11/28/2018 at 8:00AM**

910 Days Before Petition: **04/19/2016**

Confirmation Hearing Date: **01/11/2019 at 1:30PM**

Chapter 13 Plan Date: **10/16/2018** ☐ Amended

Plan Base: **\$8,200.00** Plan Docket # **3**

This is Debtor(s) 1 Bankruptcy petition.

This is the 1st scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$150.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

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Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): _____

☐ Pro-se

☒ Creditor(s) Present ☐ None

BPPR- VILCHES; Treasury - Velez

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$630.00** Outstanding (Through the Plan): **\$2,370.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)
Projected Disposable Income: \$ N/A

☐ The Trustee cannot determine debtor's/s' commitment period at this time.

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If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$283.00

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: 5 %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR ____ DAYS

§341 Meeting Rescheduled for: _____

Comments:

*CREDITOR(S) ORAL OBJECTIONS [LBR 3015-2 (c)(4)]

-No objections

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Self-employed Business Debtor - Failure to comply with her/his/their duties. [11 U.S.C.1302(b), 704(a)(2)-(7), and 704(a)(9)]

- Debtor has failed to submit the bank account statements for the period of April 2018 to September 2018.

[1325(a)(5)] Plan fails to comply with required treatment of allowed Secured Claims.

The plan fails to provide treatment for secured claim 4 by CRIM.

*OTHER COMMENTS / OBJECTIONS

Shellpoint and SPS, secured creditors provided for in the plan, are yet to file their proof of claims. Said creditors will not participate from the disbursements until they file their claims. In absence of said claims Debtor must submit evidence of the secured status of Shellpoint in order to confirm that the treatment being provided does not constitute unfair discrimination against other parties in the case.

/s/ Jose R. Carrion, Esq. Meeting Date: Nov 28, 2018
Trustee

/s/ Mayra Arguelles, Esq., Presiding Officer